

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUDOLPH GEORGE STANKO,

Defendant.

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8:06CR50

ORDER

Before the court are Filing Nos. 85 and 86.

Defendant moves to dismiss Filing No. 85 on the basis that an element is lacking which would show “for the purpose of obtaining something of value.” Whether the government can prove the elements of the offense will be decided at trial. Accordingly, this motion is denied.

Defendant moves for discovery, Filing No. 86, asking for specific documents that support an interview of Keith Drinkwater. The court will order the government to produce such documents to the defendant, unless the government has objections to producing these documents. If the government has objections, it shall so notify this court within seven days of the date of this order.

IT IS ORDERED:

1. That defendant’s motion, Filing No. 85, is denied;
2. The defendant’s motion for discovery, Filing No. 86, is granted, and the government shall either supply defendant with the requested copies within seven days of the date of this order, or the government shall notify the court of its objections within seven days of the date of this order;
3. That all pretrial motions shall be filed on or before September 4, 2006.

DATED this 10th day of August, 2006.

BY THE COURT:

s/ Joseph F. Bataillon

United States District Judge